



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

7 March 2008

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 (sharon.scroggins@nasa.gov).

Contents of This Issue

1.0	U.S. Federal Regulatory Review	4
1.1	Federal Register Summary	4
1.2	Status of Continuing Actions in Progress	9
1.3	Significant News and Other Developments	10
1.3.1	<i>EPA Requests Comments on Electronic Hazardous Waste Manifests</i>	10
1.4	Clean Air Act Working Group Updates	10
1.4.1	<i>Clean Air Act Working Group Telecons for 2008</i>	10
2.0	State Regulatory Reviews	11
2.1	Alabama State Regulatory Review	11
2.2	California State Regulatory Review	11
2.3	Florida State Regulatory Review	12
2.4	Hawaii State Regulatory Review	13
2.5	Louisiana State Regulatory Review	14
2.6	Maryland State Regulatory Review	14
2.7	Mississippi State Regulatory Review	14
2.8	New Mexico State Regulatory Review	14
2.9	Ohio State Regulatory Review	14
2.10	Texas State Regulatory Reviews	15
2.10.1	<i>Take Care of Texas Campaign Ads</i>	15
2.10.2	<i>TCEQ to Hold Workshops on Title V Forms Update Project</i>	16
2.11	Utah State Regulatory Review	16
2.12	Virginia State Regulatory Review	17

Acronyms

AAQS = Ambient Air Quality Standard
ANPRM = Advance Notice of Proposed Rulemaking
CAA = Clean Air Act
CAAWG = Clean Air Act Working Group
CAIR = Clean Air Interstate Rule
CalEPA = California Environmental Protection Agency
CBI = Confidential business information
CCR = *California Code of Regulations*
CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act
CFR = *Code of Federal Regulations*
CH₄ = Methane
CO₂ = Carbon dioxide
COMAR = *Code of Maryland Regulations*
CRNR = *California Regulatory Notice Register*
CWA = Clean Water Act
DAR = Division of Administrative Rules
e-Manifest = Electronic manifest
EIS = Environmental Impact Statement
EPA = U.S. Environmental Protection Agency
F.A.C. = Florida Administrative Code
FAW = *Florida Administrative Weekly*
FDEP = Florida Department of Environmental Protection
FR = *Federal Register*
FRM = Federal Reference Method
FY = Fiscal Year
GHG = Greenhouse gas
GSE = Ground support equipment
HAP = Hazardous air pollutant
HCFC = Hydrochlorofluorocarbon
HDOH = Hawaii Department of Health
HEPCRA = Hawaii Emergency Planning and Community Right-to-Know Act
HFC = Hydrofluorocarbon
HRS = Hawaii Revised Statutes
HTML = HyperText Markup Language
ICR = Information Collection Request
MSFC = Marshall Space Flight Center
N₂O = Nitrous oxide
NAAQS = National Ambient Air Quality Standards
NAICS = North American Industry Classifications System

NASA = National Aeronautics and Space Administration
NEPA = National Environmental Protection Agency
NESHAP = National Emission Standards for Hazardous Air Pollutants
NIOSH = National Institution on Safety and Health
NO_x = Nitrogen oxide
NPRM = Notice of Proposed Rulemaking
NSPS = New Source Performance Standards
NSR = No Significant Rule
OAC = Ohio Administrative Code
OEPA = Ohio Environmental Protection Agency
OMB = Office of Management and Budget
OSWER = Office of Solid Waste and Emergency Response
PFAC = Perfluoroalkyl carboxylates
PFAS = Perfluoroalkyl sulfonates
PFC = Perfluorocarbons
PM = Particulate matter
ppm = Parts per million
RACT = Reasonably available control technology
RCRA = Resource Conservation and Recovery Act
RIN = Regulatory Identification Number
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
SF₆ = Sulfur hexafluoride
SIP = State implementation plan
SJRWMD = St. John's River Water Management District
SNUR = Significant New Use Rule
SSP = Space Shuttle Program
TAC = Texas Administrative Code
TCEQ = Texas Commission on Environmental Quality
TexReg = Texas Register
TPDES = Texas Pollutant Discharge Elimination System
TRI = Toxic Release Inventory
U.S. = United States
UDAQ = Utah Division of Air Quality
UT Bull. = Utah Bulletin
VAC = Virginia Administrative Code
Va.R. = Virginia Register
VOC = Volatile organic compound
VPA = Virginia Pollution Abatement

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed030708-1	CAA Applicability Determinations	03/03/2008	73 FR 11410	Notice	Recent Posting to the Applicability Determination Index Database System of Agency Applicability Determinations, Alternative Monitoring Decisions, and Regulatory Interpretations Pertaining to Standards of Performance for New Stationary Sources, National Emission Standards for Hazardous Air Pollutants, and the Stratospheric Ozone Protection Program Announces applicability determinations, alternative monitoring decisions, and regulatory interpretations that EPA has made related to rules under NSPS, NESHAP, and the Stratospheric Ozone Protection Program. Comprises a summary of 51 documents added to the Applicability Determination Index on 11/02/2007.	
Fed030708-2	CAA General Conformity	03/03/2008	73 FR 11375	Notice	Revisions to the General Conformity Regulations Announces a public hearing to be held in Washington, D.C., on 03/14/2008 regarding the proposed rule on " Revision to the General Conformity Regulations " (73 FR 1401, 01/08/2008). The proposed rulemaking would revise regulations relating to requirements that federal actions conform to the appropriate state, tribal, or federal implementation plan for attaining clean air standards.	
Fed030708-3	CAA NAAQS-Lead	02/29/2008	73 FR 11110	Notice	Announcement of Data Availability for Lead National Ambient Air Quality Standard Review Announces that a number of technical documents discussing monitoring issues, which are being addressed as part of the review of the lead NAAQS, will be available for review and comment on or about 03/03/2008. Comments due 03/31/2008.	
Fed030708-4	CAA NAAQS-Nitrogen Oxides	03/05/2008	73 FR 11916	Notice	Draft Integrated Science Assessment for Oxides of Nitrogen-Health Criteria Announces the availability of the second external review draft of a document titled, " Draft Integrated Science Assessment for Oxides of Nitrogen-Health Criteria ," prepared as part of the review of the primary NAAQS for oxides of nitrogen. Comments due 05/05/2008.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed030708-5	CAA NESHAP– Beryllium Rocket Motor Firing	03/04/2008	73 FR 11629	Notice	<p>Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; NESHAP for Beryllium Rocket Motor Fuel Firing (Renewal)</p> <p>Announces that an ICR renewal pertaining to record-keeping and reporting requirements related to the NESHAP for Beryllium Rocket Motor Fuel Firing (40 CFR 61, Subpart D) is scheduled to expire 04/30/2008. Comments due 04/03/2008.</p> <p>This regulation, first promulgated in 1973, applies to facilities that static fire beryllium rocket motors or dispose of beryllium-containing propellant. Through this action, EPA seeks permission from OMB to continue requiring such facilities to keep records and submit reports.</p>	
Fed030708-6	CAA NESHAP– Gasoline Distribution and Dispensing Facilities	03/07/2008	73 FR 12275	Correction	<p>National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities; Correction [40 CFR Part 63]</p> <p>Makes editorial corrections to the final rule entitled, "National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities" (73 FR 1915, 01/10/2008). Effective 03/07/2008 [RIN 2060-AM74].</p>	
Fed030708-7	CAA NSR for PM2.5	03/06/2008	73 FR 12155	Notice	<p>Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Prevention of Significant Deterioration and Nonattainment New Source Review (Final Rule for Implementation of the New Source Review Program for Particulate Matter Less Than 2.5 Micrometers)</p> <p>Announces an ICR revision request regarding the NSR preconstruction review and permitting program for PM2.5. Comments due 04/07/2008.</p>	
Fed030708-8	Carcinogenicity	02/28/2008	73 FR 10766	Notice	<p>Notice of Expert Peer-Review Meeting on the Framework for Determining a Mutagenic Mode of Action for Carcinogenicity: Using EPA's 2005 Cancer Guidelines and Supplemental Guidance for Assessing Susceptibility From Early-Life Exposure to Carcinogens External Review Draft</p> <p>Announces an external peer-review meeting to review the draft document titled, "Framework for Determining a Mutagenic Mode of Action for Carcinogenicity: Using EPA's 2005 Cancer Guidelines and Supplemental Guidance for Assessing Susceptibility From Early-Life Exposure to Carcinogens." Meeting is scheduled for 04/04/2008 in Arlington, Virginia.</p>	
Fed030708-9	CERCLA and CWA Natural Resource Damage Assessments	02/29/2008	73 FR 11081	Proposed Rule	<p>Department of the Interior</p> <p>Natural Resource Damages for Hazardous Substances [43 CFR Part 11]</p> <p>Proposes to revise certain parts of the natural resource damage assessment regulations for hazardous substances. The regulations describe how to conduct a natural resource damage assessment for hazardous substance releases under CERCLA and the CWA. Comments due 05/29/2008 [RIN 1090-AA97].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed030708-10	CERCLA Priority List of Hazardous Substances	03/06/2008	73 FR 12178	Notice	<p>Agency for Toxic Substances and Disease Registry</p> <p>Notice of the Revised Priority List of Hazardous Substances that Will Be the Subject of Toxicological Profiles</p> <p>Announces availability of revised CERCLA Priority List of Hazardous Substances. Since the last edition of the list, EPA has added 1-methylnaphthalene. Each priority list substance is a potential toxicological profile subject, as well as a candidate for identification of priority data needs. Also announces a Completed Exposure Pathway Site Count Report. This report lists the number of hazardous waste sites or events wherein a substance has been found in a completed exposure pathway.</p> <p>The revised Priority List includes numerous substances often used in industrial and aerospace materials and processes, including cadmium, hexavalent chromium, solvents, etc. This list does not set usage or emission limits for these materials, but may be regarded as an indicator of potential future restrictions that could result in materials obsolescence.</p>	
Fed030708-11	Climate Change	02/25/2008	73 FR 10005	Notice	<p>National Oceanic and Atmospheric Administration</p> <p>U.S. Climate Change Science Program Synthesis and Assessment Product Draft Report 4.1: "Coastal Elevation and Sensitivity to Sea Level Rise"</p> <p>Announces comment period for the draft document titled, U.S. Climate Change Science Program Synthesis and Assessment Product 4.1: "Coastal elevation and sensitivity to sea level rise." Comments due 04/10/2008.</p>	
Fed030708-12	General Environmental Data Standards	02/25/2008	73 FR 10026	Notice	<p>Office of Environmental Information; Announcement of Availability and Comment Period for Revised Enforcement and Compliance and Tribal Identifier Data Standards</p> <p>Notice of availability for review and comment for two revised data standards:</p> <ul style="list-style-type: none"> Enforcement and Compliance Data Standard Tribal Identifier Data Standard <p>Environmental data standards are intended to provide a common vocabulary for communication about environmental data. The Enforcement and Compliance Data Standard identifies and defines major areas of enforcement and compliance information. The standards are available on the Environmental Information Exchange Network website. Comments due 03/29/2008.</p>	
Fed030708-13	Greenhouse Gas Inventory	03/07/2008	73 FR 12413	Notice	<p>Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2006</p> <p>Announces that the Draft Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2006 is available for public review. Annual U.S. emissions for the period of time from 1990 through 2006 are summarized and presented by source category and sector. The inventory contains estimates of CO₂, CH₄, N₂O, HFC, PFC, and SF₆ emissions. The inventory also includes estimates of carbon fluxes in U.S. agricultural and forest lands. Comments due 04/07/2008.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed030708-14	Hazardous Substances 2-Hexanone	03/03/2008	73 FR 11408	Notice	Draft Toxicological Review of 2-Hexanone: In Support of the Summary Information in the Integrated Risk Information System Announces review and comment period for the external review draft document titled, " Toxicological Review of 2-Hexanone: In Support of Summary Information on the Integrated Risk Information System ." Comments due 04/28/2008.	
Fed030708-15	Hazardous Substances Propionaldehyde	03/06/2008	73 FR 12171	Notice	Draft Toxicological Review of Propionaldehyde: In Support of Summary Information on the Integrated Risk Information System Announces a public comment period to review selected sections of the final draft document titled, " Toxicological Review of Propionaldehyde: In Support of Summary Information on the Integrated Risk Information System ." Comments due 05/05/2008.	
Fed030708-16	Hazardous Substances Toxic Release Inventory	03/06/2008	73 FR 12045	Proposed Rule	Community Right-to-Know; Corrections and 2007 Updates to the Toxics Release Inventory North American Industry Classification System (NAICS) Reporting Codes; Proposed Rule; Request for Public Comments [40 CFR Part 372] Proposes to update and make editorial corrections to the list of NAICS codes subject to reporting under the TRI to reflect the OMB 2007 NAICS revision. Facilities would be required to report using the 2007 NAICS codes beginning with the TRI reporting forms that are due on 07/01/2009, covering releases and other waste management quantities for the 2008 calendar year. Comments due 04/07/2008 [RIN 2025-AA22].	
Fed030708-17	Hazardous Substances Toxic Release Inventory	03/07/2008	73 FR 12410	Notice	Acetonitrile Petition; Community Right-to-Know Toxic Chemical Release Reporting; Notice of Data Availability Solicits public comment on the following two documents developed in response to a petition to remove acetonitrile from the list of chemicals subject to reporting under the TRI: <ul style="list-style-type: none"> ▪ TRI Technical Review of Acetonitrile ▪ Acetonitrile External Peer Review charge Comments due 04/07/2008 [RIN 2025-AA19].	
Fed030708-18	Hazardous Waste Electronic Waste Manifests	02/26/2008	73 FR 10204	Notice	Hazardous Waste Management System; Modification of the Hazardous Waste Manifest System [40 CFR Parts 260, 261, 262, 263, 264, 265, and 271] Announces the availability of additional information on the electronic waste manifest (e-Manifest). Solicits comment on the position that use of e-Manifests should be at the election of the users rather than mandatory and on position to allow confidential business information claims for e-Manifests. Comments due 04/11/2008 [RIN 2050-AG20]. See paragraph 1.3.1 in the text following this table for further details.	
Fed030708-19	Liability	02/26/2008	73 FR 10143	Final Rule	National Aeronautics and Space Administration Cross-Waiver of Liability [14 CFR Part 1266] Amends regulations that provide the regulatory basis for cross-waiver provisions used in agreements for International Space Station activities and launch agreements for science or space exploration activities. Effective 04/28/2008 [RIN 2700-AB51].	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed030708-20	NEPA Environmental Assessment–Space Shuttle Program	02/25/2008	73 FR 10067	Notice	National Aeronautics and Space Administration National Environmental Policy Act; Space Shuttle Program Notice of availability of Draft Programmatic Environmental Assessment for proposed Space Shuttle Program transition and property disposal activities to assist in the NASA decision-making process. The Proposed Action is to implement a structured process for the disposition of the SSP real and personal property consisting of a coordinated series of actions. The focus of the SSP Transition and Property Disposal activity is to evaluate SSP real and personal property to select the best option for disposition. Comments due 03/28/2008.	
Fed030708-21	NEPA EIS–Constellation Program	02/29/2008	73 FR 11111	Notice	Environmental Impact Statements and Regulations; Availability of EPA Comments Announces status of EPA comments on draft EIS. Includes the following: <ul style="list-style-type: none"> EIS No. 20080012, PROGRAMMATIC–Constellation Program, Develop the Flight Systems and Earth-based Ground Infrastructure for Future Missions, International Space Station, The Moon, Mars, and Beyond, Brevard and Volusia Counties, FL; Hancock County, MS; Orlean Parish, LA; Harris County, TX; Madison County, AL; Cuyahoga and Erie Counties, OH; Hampton, VA; Santa Clara County, CA; Dona Ana and Otero Counties, NM; and Box Elder and Davis Counties, UT. Summary: No formal comment letter was sent to the preparing agency.	
Fed030708-22	Safety Beryllium Exposure	03/06/2008	73 FR 12179	Notice	National Institute for Safety and Health Announces the availability for comment of the draft document entitled “ NIOSH Alert: Preventing Chronic Beryllium Disease and Beryllium Sensitization .” The document describes the nature of the lung disease and other health effects that can occur from exposure to beryllium and beryllium-containing materials and recommends steps companies and workers should take to minimize health risks to workers. Comments due 05/12/2008.	
Fed030708-23	Safety Powered Industrial Trucks	03/07/2008	73 FR 12468	Notice	Occupational Safety and Health Administration Powered Industrial Trucks Standard; Extension of the Office of Management and Budget’s Approval of Information Collection (Paperwork) Requirements Solicits comments concerning proposal to extend OMB approval of the ICR contained in the Powered Industrial Truck Standard. The ICR addresses truck design, construction, and modification, as well as certification of training and evaluation for truck operators. Comments due 05/06/2008.	
Fed030708-24	Waste Management	02/26/2008	73 FR 10242	Notice	Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Requirements and Exemptions for Specific RCRA Wastes (Renewal) Notice of an ICR request concerning universal waste, mixed waste, and used oil reporting. The ICR is scheduled to expire 02/29/2008. Comments due 03/27/2008.	

1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC currently is tracking for possible program-related impacts. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	05/2008	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	05/2009			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
ANPRM	03/29/2007	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
	72 FR 14734			Evaluation of residual risk remaining after the implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.
NPRM	11/2007			
Final Action	11/2008			
NPRM	07/16/2007	National VOC Rule for Aerosol Coatings [2060-AN69]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	12/2007			The rule would impose limits on VOC content for aerosol coatings. The limits would apply to coating manufacturers, and could be a driver for formulation changes to reduce VOC content.
NPRM	01/03/2007	NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	12/2007			Could have an effect on how NESHAPs affect certain NASA Centers and vendor facilities.
NPRM	05/2008	HCFC Labeling [2060-AO68]	Pre-rule	Administrative requirement for certain space vehicle materials.
Final Action	05/2009			Would require containers of materials containing HCFCs to bear warning statements.
NPRM	02/2008	Area Sources: Metal Fabrication and Finishing [2060-AO27]	Pre-rule	Possible space vehicle materials or supply chain impacts
Final Action	06/2008			Will set air emissions reduction requirements, possibly including usage limitations, for area sources of HAPs in nine source categories: 1) Electrical and Electronic Equipment Finishing Operations; 2) Fabricated Metal Products; 3) Fabricated Plate Work (Boiler Shops); 4) Fabricated Structural Metal Manufacturing; 5) Heating Equipment, except Electric; 6) Industrial Machinery and Equipment: Finishing Operations; 7) Iron and Steel Forging; 8) Primary Metal Products Manufacturing; and 9) Valves and Pipe Fittings. The rule is expected to target emissions of cadmium, chromium, manganese, nickel, and lead in abrasive blasting, welding, painting, plating, machining, and grinding operations.
NPRM	01/2008	Area Sources: Plating and Polishing [2060-AM37]	Pre-rule	Possible space vehicle materials or supply chain impacts.
Final Action	06/2008			Will set air emissions reduction requirements, possibly including usage limitations, for area sources of HAPs in the plating and polishing industry.
NPRM	03/07/2006	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	04/2008			Rule could limit new U.S. production of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.

1.3 Significant News and Other Developments

1.3.1 EPA Requests Comments on Electronic Hazardous Waste Manifests

On 26 February 2008 ([73 FR 10204](#)), EPA published a notice of data availability and request for comments on the e-Manifest project. EPA's OSWER has made progress on the e-Manifest project since the publication of the 18 April 2006 public notice announcing and requesting comment on EPA's plan for a centralized web-based system. Although EPA received many comments supporting development of the system, some commenters were concerned that making the electronic system optional would create dual paper and electronic record-keeping systems. Also, EPA's proposal to allow CBI claims for e-Manifests was met with differing responses from industry and state governments. EPA is soliciting additional comments on these two issues, which will be taken into consideration prior to finalizing a federal regulation for the use of electronic manifests. Comments are due to EPA by 11 April 2008. Additional information is available on EPA's [e-Manifest website](#).

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2008

The CAAWG will hold telecons on the following Wednesdays in 2008 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 19 March
- 16 April
- 21 May
- 18 June
- 16 July
- 20 August
- 19 November

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Alabama.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA030708-1	Air Nitrogen Dioxide	02/29/2008	CRNR 2008, 9z, p. 308	Notice	California Air Resources Board AAQS for Nitrogen Dioxide [17 CCR 70100.1 and 70200] Modifies 1-hour nitrogen dioxide standard from 0.25 ppm to 0.18 ppm. In addition, an annual average standard was adopted of 0.030 ppm. The existing monitoring method (chemiluminescence FRM) was retained and all federally approved methods were incorporated by reference. The staff report and technical support document are available. Effective 03/20/2008.	
CA030708-2	Endangered Species 5-Year Reviews	03/05/2008	73 FR 11945	Notice	U.S. Fish and Wildlife Service , Department of the Interior Endangered and Threatened Wildlife and Plants; Initiation of 5-Year Reviews of 58 Species in California and Nevada; Availability of Completed 5-Year Reviews in California, Nevada, and Southern Oregon Initiates 5-year reviews for 58 species under the Endangered Species Act. On the basis of the results of these 5-year reviews, the agency will make a finding regarding whether these species are properly classified under the Act. Also indicates in this notice the 5-year reviews completed for species in California, Nevada, and southern Oregon in FY 2007 and early FY 2008. Comments due 05/05/2008.	
CA030708-3	Endangered Species Longfin smelt	02/29/2008	CRNR 2008, 9z, p. 308	Notice of Findings	California Fish and Game Commission Longfin Smelt Notice of Finding The Commission has accepted a petition to list longfin smelt (<i>Spirinchus thaleichthys</i>) as an endangered species and has declared it a candidate species for listing.	
CA030708-4	Endangered Species Marbled Murrelet	03/06/2008	73 FR 12067	Proposed Rule	U.S. Fish and Wildlife Service , Department of the Interior Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Marbled Murrelet (<i>Brachyramphus marmoratus</i>) [50 CFR Part 17] Proposes that it is not appropriate to revise critical habitat for the marbled murrelet [RIN 1018-AU91].	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA030708-5	Waste	02/29/2008	CRNR 2008, 92, p. 311	Notice	<p>Office of Emergency Services</p> <p>T9, Div. 2, Ch. 4, Article 4, Section 2729.2 and Appendices A I, II, III & B I, II, III [19 CCR Division 2, Chapter 4, Article 4, Section 2729.2 and Appendix A I, II, III and Appendix B I, II, III]</p> <p>This change without regulatory effect corrects references and conforms three Office of Emergency Services hazardous materials reporting forms and instructions in 19 CCR to forms in 27 CCR, which were changed in 12/2007 by CalEPA. The forms are used in administration of the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program.</p>	

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL030708-1	Air Permits	02/25/2008	FAW Notice #5349179	Final Rule	Chapter 62–FDEP 4.090–Renewals Amendments extend the lead time for applying for renewal of Title V air permits. Effective 03/16/2008.	
FL030708-2	Air Permits	02/25/2008	FAW Notice #5350149 , #5349858 , #5349664 , #5360237 , #5350440 , and #5350246	Final Rule	Chapter 62–FDEP 213–Operation Permits for Major Sources of Air Pollution Amendments are related to the implementation of EPA's permitting requirements for Title V sources that are subject to the CAIR, Clean Air Mercury Rule, and Federal Acid Rain Program. The affected Rules include the following: <ul style="list-style-type: none"> 62-213.205 Annual Emissions Fee 62-213.400 Permits and Permit Revisions Required 62-213.420 Permit Applications 62-213.430 Permit Issuance, Renewal, and Revision 62-213.440 Permit Content 62-213.460 Permit Shield Effective 03/16/2008.	
FL030708-3	Air Stationary Sources	02/25/2008	FAW Notice #5349470 , #5349373 , #5349276 , and #5349567	Final Rule	Chapter 62–FDEP 210–Stationary Sources–General Requirements Amendments are related to the implementation of permitting requirements for Title V sources subject to EPA's CAIR, Clean Air Mercury Rule, and Acid Rain program, such as incorporating CAIR, Mercury Budget, and Phase II NOx Averaging Plan Forms in the Title V permit application process. The affected Rules include the following: <ul style="list-style-type: none"> 62-210.200 Definitions 62-210.300 Permits Required 62-210.360 Administrative Permit Corrections 62-210.900 Forms and Instructions Effective 03/16/2008.	
FL030708-4	Energy and Climate Change	02/29/2008 03/07/2008	FAW Notice #5334532 and #5337830	Notice	Chapter 62–Governor's Action Team on Energy and Climate Change Announces meetings related to the Governor's Action Team on Energy and Climate Change and the development of a comprehensive Energy and Climate Change Action Plan to address statewide GHG reductions specified in Executive Order 07-127. Meetings are scheduled as follows: <ul style="list-style-type: none"> 03/10/2008–FDEP Headquarters, Tallahassee, Florida. 03/17/2008–Tallahassee, Florida (location will be published on the FDEP website). 	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL030708-5	Endangered Species	03/06/2008	73 FR 12068	Correction	National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce Endangered and Threatened Species; Critical Habitat for Threatened Elkhorn and Staghorn Corals [50 CFR Part 226] Corrects a critical habitat map originally published in the proposed rule (02/06/2008, 73 FR 08497) [RIN 0648-AV35].	
FL030708-6	Oceans and Coastal Resources Act	02/29/2008	FAW Notice #5287293	Notice Meetings	Chapter 62–Florida Oceans and Coastal Council Announces Council meetings to be held 03/11/2008 and 03/13/2008 at The Capitol, Tallahassee, Florida.	
FL030708-7	Siting Electric and Magnetic Fields	02/29/2008	FAW Notice #5245583	Notice Public Hearing	Chapter 62–FDEP 814–Electric and Magnetic Fields The Environmental Regulation Commission will consider rule changes to Chapter 62-814, F.A.C., first noticed in FAW Notice #5060119 , and updated with a notice of change in the FAW Notice #5206007 for adoption. Rule changes to rule Section 62-814.100(c), standards for electrical facilities, and revising the <i>Table of New Transmission Line and Substation Standards</i> in 62-814.450. The hearing will be held 03/27/2008 in Tallahassee, Florida.	
FL030708-8	SJRWMD Permits	02/29/2008	FAW Notice #5303104	Proposed Rule	Chapter 40C–SJRWMD 4–Environmental Resource Permits: Surface Water Management Systems Proposed amendment would delete the requirement in the <i>Applicant's Handbook: Management and Storage of Surface Waters</i> , that the financial responsibility cost estimate for mitigation banks include property taxes.	

2.4 Hawaii State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Hawaii.

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
HI030708-1	HEPCRA	03/08/2008	The Environmental Notice, p. 15	Notice	Hawaii Department of Health (HDOH) Implementing Regulations for Hawaii Emergency Planning and Community Right-to-Know Act (HEPCRA) The HDOH and the Local Emergency Planning Committees are preparing administrative rules to improve compliance with the requirements of the HEPCRA [(HRS Chapter 128E)]. The rules are intended to clarify the requirements and provisions of the law, specifically for implementation and enforcement of HEPCRA. HDOH has formed a workgroup to prepare the rules. Further information is available from HDOH's Office of Hazard Evaluation and Emergency Response .	NASA operations in Hawaii should be aware of this rulemaking.
HI030708-2	Endangered and Threatened Wildlife and Plants	03/06/2008	73 FR 12065	Notice	U.S. Fish and Wildlife Service , Department of the Interior Endangered and Threatened Wildlife and Plants; Revised Proposed Designation of Critical Habitat for 12 Species of Picture-Wing Flies From the Hawaiian Islands [50 CFR Part 17] Announces the reopening of the public comment period and two public hearings on the revised proposed rule. Comments due 04/25/2008 or at the public hearings, which are scheduled as follows: ▪ 04/08/2008 – island of Hawaii ▪ 04/10/2008 – island of Oahu [RIN 1018-AU93].	

2.5 Louisiana State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Louisiana.

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD030708-1	Air SIP-VOCs	02/28/2008	73 FR 10673	Direct Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; State of Maryland; Revised Definition of Volatile Organic Compound (VOC) [40 CFR Part 52] Final action allows Maryland to incorporate by reference the current and all future revisions of EPA's VOC definition (40 CFR 51.100(s)) into COMAR 26.11.01.01B(53) without requiring a regulatory change to the Maryland rule. Comments due 03/31/08. Effective 04/28/08.	

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH030708-1	Air Title V Permits	03/06/2008	Public Notice	Draft Rule	Division of Air Pollution Control, OEPA Draft Amendments for OAC Chapter 3745-77 "Title V Permit Rules" [OAC 3745-77] OEPA has completed draft language for amendments to OAC Chapter 3745-77, "Title V Permit Rules." The amendments are intended to improve implementation of the chapter; update the chapter to reflect certain federal revisions to 40 CFR Part 70; and update and clarify references to the rules' authorizing and amplifying statutes. Additional information is posted in the synopsis . Comments due 04/07/2008.	

2.10 Texas State Regulatory Reviews

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register* published in HTML file format. Current and historical versions of the *Texas Register* in HTML and Adobe Acrobat (.pdf) file format can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX030708-1	Air Motor Vehicles	02/29/2008	33 TexReg 1741	Proposed Rule	Control Of Air Pollution From Motor Vehicles [30 TAC 114] Proposes to repeal regulations that have been rendered unnecessary by implementation of federal emission control standards. The regulations are related to NOx emission controls for on-road, heavy-duty diesel engines. Public hearing scheduled for 03/20/2008 in Austin, Texas. Comments due 03/20/2008.	
TX030708-2	Air SIP-VOCs Control	02/27/2008	73 FR 10383	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to Control Volatile Organic Compound Emissions; Volatile Organic Compound Control for El Paso, Gregg, Nueces, and Victoria Counties and the Ozone Standard Nonattainment Areas of Beaumont/Port Arthur, Dallas/Fort Worth, and Houston/Galveston [40 CFR Part 52] Approves certain VOC control measures in the Texas SIP as proposed (71 FR 56920 , 09/28/2006). Included in the revisions are requirements for additional controls on VOC emissions from industrial wastewater systems in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston areas.	
TX030708-3	General Electronic Reporting	02/29/2008	33 TexReg 1739	Proposed Rule	Electronic Reporting [30 TAC 19.21] Proposes to state that TCEQ may adjust fees as necessary to encourage electronic reporting and TCEQ's electronic document receiving system. Although the proposed section does not change specific fees, the inclusion of this section serves as an advance notice that TCEQ may consider fee changes in the future for this purpose. Public hearing scheduled for 03/27/2008 in Austin, Texas. Comments due 03/31/2008.	
TX030708-4	Water Construction General Permit	02/29/2008	33 TexReg 1850	Notice	Executive Director's Response to Public Comment on TCEQ General Permit Number TXR150000 Response to public comments on the proposed renewal of the TPDES General Permit Number TXR150000, the Construction General Permit for Storm Water Discharges.	

2.10.1 Take Care of Texas Campaign Ads

The [Take Care of Texas](#) campaign has developed professional-quality, camera-ready print [ads](#) for public use. Take Care of Texas is a program of the TCEQ that gives individuals easy tips to do their part to improve the environment while saving money. For online tips and more information, visit www.takecareoftexas.org.

2.10.2 TCEQ to Hold Workshops on Title V Forms Update Project

TCEQ has announced the time and date for a workshop to be held in Houston regarding the Title V Forms Update Project. Deviation Report and Permit Compliance Certification Report Forms will be discussed in the workshop, which is scheduled for 19 March 2008. A tentative agenda is available on [TCEQ's Air Regulatory Compliance for Industry website](#).

2.11 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA-related operations in Utah.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT030708-1	Air Quality	03/01/2008	UT Bull., Vol. 2008-5 DAR Files: # 30959 # 30960 # 30961 # 30962 # 30963 # 30964 # 30965 # 30970 # 30972	Notice	Utah Division of Air Quality (UDAQ), Department of Environmental Quality Announces the completion of the required 5-year review process for several air quality regulations, which have been determined necessary for continuation. Specifically, the following regulations are listed: <ul style="list-style-type: none"> ▪ R307-101 General Requirements ▪ R307-102 General Requirements: Broadly Applicable Requirements ▪ R307-115 General Conformity ▪ R307-170 Continuous Emission Monitoring Program ▪ R307-202 Emission Standards: General Burning ▪ R307-203 Emission Standards: Sulfur Content of Fuels ▪ R307-220 Emission Standards: Plan for Designated Facilities ▪ R307-250 Western Backstop Sulfur Dioxide Trading Program Notices are effective when filed.	
UT030708-2	Hazardous Waste	03/07/2008	73 FR 12277	Immediate Final Rule	U.S. Environmental Protection Agency Utah: Final Authorization of State Hazardous Waste Management Program Revisions [40 CFR Part 271] Approves revisions to Utah's Hazardous Waste Management Program. With this action, Utah facilities subject to RCRA must now comply with the authorized state requirements instead of the equivalent federal requirements in order to comply with RCRA. Effective 05/06/2008, unless adverse comments are submitted by 04/07/2008.	NASA operations in Utah should be aware of this action.
UT030708-3	Radiation Radiation Control	03/01/2008	UT Bull., Vol. 2008-5 DAR File # 30774	Proposed Rule Change	Radiation Control Board Amends previous proposed rule to exclude certain types of documents from the proposed electronic submittal requirement.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT030708-4	Waste	03/01/2008	UT Bull. Vol. 2008-5 DAR Files: # 30990 # 30986 # 30992 # 30991 # 30985 # 30993 # 30995 # 30994 # 30996 # 30983 # 30997 # 30998 # 30999 # 30989 # 30988 # 30984 # 30987	Notice	Utah Division of Solid and Hazardous Waste, Department of Environmental Quality Announces the completion of the required 5-year review process for several regulations, which have been determined necessary for continuation. Specifically, the following regulations are listed: <ul style="list-style-type: none"> ▪ R315-301. Solid Waste Authority, Definitions, and General Requirements ▪ R315-302. Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements ▪ R315-303. Landfilling Standards ▪ R315-305. Class IV and VI Landfill Requirements ▪ R315-306. Incinerator Standards ▪ R315-307. Landtreatment Disposal Standards ▪ R315-308. Ground Water Monitoring Requirements ▪ R315-309. Financial Assurance ▪ R315-310. Permit Requirements for Solid Waste Facilities ▪ R315-311. Permit Approval for Solid Waste Disposal, Waste Tire Storage, Energy Recovery, And Incinerator Facilities ▪ R315-312. Recycling and Composting Facility Standards ▪ R315-313. Transfer Stations and Drop Box Facilities ▪ R315-314. Facility Standards for Piles Used for Storage and Treatment ▪ R315-315. Special Waste Requirements ▪ R315-316. Infectious Waste Requirements ▪ R315-317. Other Processes, Variances, Violations, and Petition for Rule Change ▪ R315-318. Permit by Rule Notices are effective when filed.	

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA030708-1	Air SIP-NOx	02/28/2008	73 FR 10670	Direct Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendments to Existing Regulation Provisions Concerning Reasonably Available Control Technology [40 CFR Part 52] Final approval of revisions to the Virginia SIP. Revisions include administrative changes to the requirements for RACT for source specific nitrogen oxides. Comments due 3/31/2008. Effective 04/28/2008.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA030708-2	Water Stormwater	03/03/2008	24:13 Va.R 1738	Revised Forms	Virginia State Water Control Board Virginia Pollution Abatement (VPA) Permit Regulations(9 VAC 25-32) Several permit application forms have been updated, including the permit application general instructions, Forms A through D, the application for biosolids use permit, and the application for land application supervisor certification.	